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Legislative
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Assemblée
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Official Report of Debates (Hansard)

T-2

Journal des débats (Hansard)

T-2

Standing Committee on
Regulations and Private Bills

Comité permanent des
règlements et des projets
de loi d'intérêt privé

3rd Session
41st Parliament
Wednesday 11 April 2018

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41^e législature
Mercredi 11 avril 2018

Chair: Ted McMeekin
Clerk: Christopher Tyrell

Président : Ted McMeekin
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LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

Wednesday 11 April 2018

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS
DE LOI D'INTÉRÊT PRIVÉ**

Mercredi 11 avril 2018

The committee met at 0903 in committee room 1.

The Chair (Mr. Ted McMeekin): Good morning, everybody. The Standing Committee on Regulations and Private Bills will now come to order. Today, there are four private bills on the agenda for consideration. I don't think MPP Martow is here. Is the applicant here for the first bill? No.

We've had a request from MPP Kiwala, who, like so many of us, is double-booked in what would appear to be the Bill 3 time slot, to move her up to number one. Is the committee agreeable for that? Okay.

**KINGSTON HEALTH SCIENCES
CENTRE ACT, 2018**

Consideration of the following bill:

Bill Pr79, An Act respecting the Kingston Health Sciences Centre.

The Chair (Mr. Ted McMeekin): It's Bill Pr79, An Act respecting the Kingston Health Sciences Centre. Is the applicant here with you?

Ms. Sophie Kiwala: Yes.

Mr. Nick Pasquino: Yes. Would you like us to join you?

Ms. Sophie Kiwala: Yes.

The Chair (Mr. Ted McMeekin): Please. Welcome, gentlemen.

Mr. Nick Pasquino: Thank you.

Ms. Sophie Kiwala: Thank you very much, Mr. Chair and committee. I'm very pleased to be here this morning with you for at least a few minutes and introduce Nick Pasquino, who is the solicitor for Kingston Health Sciences Centre, who will be representing today private member's bill number 79—and also Arthur Fish, who is attending with Mr. Pasquino.

Without further ado, I'll pass it over to you, Nick.

Mr. Nick Pasquino: Thank you for allowing us—
Interjection.

The Chair (Mr. Ted McMeekin): Before you start—apparently there's a procedural requirement that the Chair must read into the record portions of this report we got back. So, with your indulgence, I shall do so.

The Clerk of the Committee (Mr. Christopher Tyrell): This bill, Bill Pr79, was what is called an estate bill. What I believe the Chair was saying is—you all should have copies of the report back from the commis-

sioner of estates. It should be in your packages, next to Bill Pr79. We'll have the Chair read in the first paragraph and then the last three paragraphs of the report, which summarize it nicely. I will quickly go over what an estate bill is, and then the applicant will present their situation to the committee.

The Chair (Mr. Ted McMeekin): Fair enough. Thank you, Mr. Clerk.

It's addressed to Mr. Decker, the Clerk of the Assembly, and it's from the Honourable Gary Tranmer and the Honourable Calum MacLeod, who reviewed this matter.

"In our capacity as Commissioners of Estate Bills, pursuant to s. 59 of the Legislative Assembly Act and pursuant to standing order 88 of the standing orders of the Legislative Assembly of Ontario, the undersigned are pleased to report our opinion on the bill and to transmit that opinion to you as requested....

"We note that the provisions of the bill itself are simple and straightforward. There is no obvious error in the legal opinion provided by Borden Ladner Gervais in support of the legislation. In addition to the support for the bill provided by the applicant and the local member to which we have referred, the bill is also supported by each of the legacy hospitals and by the foundation. It has been reviewed by the Office of the Public Guardian and Trustee.

"There is no practical way to canvass the views and preferences of each of the donors or potential donors because there is no way to know how many wills or other bequests might contain provisions in favour of one or other of the legacy hospitals. We are advised however that the applicant has caused notices to be run in the Ontario Gazette and in the local daily newspaper, the Kingston Whig-Standard. The applicant has not heard from anyone to express opposition to the bill. We presume that the Office of the Clerk of the Assembly has not been contacted in opposition to the bill.

"In the view of the undersigned commissioners there is no good reason to believe that the proposed bill is not in the public interest. To the contrary there is every reason to believe that the public interest is advanced by the provisions of the legislation that will effect estates. We are therefore privileged to report favourably on the proposed Bill Pr79."

And with that, we'll go to the applicant—
Interjection.

The Chair (Mr. Ted McMeekin): No, we won't.

The Clerk of the Committee (Mr. Christopher Tyrell): Me first.

The Chair (Mr. Ted McMeekin): You first. You said that, right?

The Clerk of the Committee (Mr. Christopher Tyrell): Just as a quick review for the committee: An estate bill, which is what we're dealing with in part here, is a private bill that seeks to vary the terms of a will or a trust. By extension, estate bill provisions are the particular provisions that set out the changes to the will or trust. I know the applicant will speak to the aims of the bill and the specific circumstances surrounding their situation. The purpose of the bill is outlined in the preamble of the bill as well.

By way of a timeline, the bill was introduced to the House on February 27, 2018, when it was referred to the Commissioners of Estate Bills. The commissioners, who are two judges from the Superior Court of Justice assigned by the Chief Justice of the Superior Court, had an opportunity to review the bill and returned a favourable report to the Clerk, with no recommended changes, which the Chair has just read in part here. Copies of that report were delivered to each committee member's office, and you all should have a copy of it in your packages here today.

The Speaker announced the receipt of the report in the House on March 27, 2018, and the bill was then referred to this committee pursuant to standing order 88(e).

0910

The Chair (Mr. Ted McMeekin): Okay, thank you, Mr. Clerk. The applicant—sounds like you've got a good preamble started so go ahead.

Mr. Nick Pasquino: Thank you, Mr. Chair. Recognizing that the report of the commissioner has already been read into the record, I'll keep my comments very brief for you.

The reason for the bill is that Kingston-area hospitals, being Hotel Dieu Kingston and Kingston General Hospital, integrated in 2017 to form Kingston Health Sciences Centre. Kingston Health Sciences Centre is operating the hospital sites that were formerly operated by Hotel Dieu and Kingston General today.

The structure of that transaction results in those two legacy hospital corporations continuing to exist, so the reason we're here before you today is to ensure that a donor who has made a gift for the benefit of hospitals in Kingston—that it gets to Kingston Health Sciences Centre.

I'm here with my partner Arthur Fish because he is an expert on estates and wills and he can answer questions from the committee in that regard. I was involved in the integration quite heavily so I can answer questions about the transaction.

With that commentary, the only other relevant pieces of information I think I'd bring to the committee's attention is that this is not novel. This approach has been used in the past with other hospital integration transactions. In your materials you may have reference to the

Sunnybrook-Women's College integration from several years ago. The language that was recommended here kind of mirrors that language that was previously accepted. It has also been reviewed by the Public Guardian and Trustee, who has got no objections.

With that introduction, we're happy to take your questions.

The Chair (Mr. Ted McMeekin): Okay. Before we do that, are there any other interested parties here who wish to add a comment to that of the applicant? Hearing none, any comments from the government side? Ms. Matthews.

Ms. Deborah Matthews: I just want to say congratulations on the integration. It is better care for patients, more integrated care for patients. You did it for all the right reasons. I know it's very, very difficult, and if I can play a tiny little part in the successful integration by sitting here today, I'm proud to be part of it.

Mr. Nick Pasquino: Thank you.

The Chair (Mr. Ted McMeekin): Any other comments? Any questions or comments from committee members to the applicant? Are the members ready to vote?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall section 4 carry? Carried.

Shall section 5 carry? Carried.

Shall section 6 carry? Carried.

Shall section 7 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Carried.

Thank you very much. We have liftoff.

HOME AIR SUPPORT INC. ACT, 2018

Consideration of the following bill:

Bill Pr81, An Act to revive Home Air Support Inc.

The Chair (Mr. Ted McMeekin): Back to the top, apparently, as the applicant is here.

I understand you're going to substitute for Ms. Martow?

Mr. Jeff Yurek: Are they here?

The Chair (Mr. Ted McMeekin): They are here.

Mr. Yurek will be the sponsor of Bill Pr81, substituting for Ms. Martow. I believe the applicant is here and can join you. Good morning. Welcome.

To you, Mr. Yurek.

Mr. Jeff Yurek: I'm pleased to sub in for Ms. Martow and sponsor An Act to revive Home Air Support Inc., private bill 81.

Mr. Zhirafar is here to discuss the bill and answer any questions of the committee.

The Chair (Mr. Ted McMeekin): Mr. Zhirafar, would you like to make whatever comments you'd like to make?

Mr. Alireza Zhirafar: We closed this company because we didn't have that much business—

The Chair (Mr. Ted McMeekin): Can you speak into the mike, please?

Mr. Alireza Zhirafar: We closed the company because we didn't do that much business with that name. But after that, we found out that there is a vehicle under the company that we need to transfer, but the company has to be alive. Also, there is a credit at Canada Revenue Agency for over \$20,000 that we couldn't get because the company was closed, so we had to open it again.

The Chair (Mr. Ted McMeekin): Okay. Is there anybody here who needs to make a comment about this? Anybody in the audience? No, okay. We'll go to the government side. Does the government have any comments? Hearing none, does anybody have any comments? Ms. French.

Ms. Jennifer K. French: You had closed it with the intent of it being closed, and then, as you mentioned, you found that there were reasons to open it. Once that's done and you've been able to finish up the business with the vehicle and get the credit, what is your goal then? Is it to close it again?

Mr. Alireza Zhirafar: We're going to probably start using it as a contractor again. We're going to work as a contractor.

Ms. Jennifer K. French: Okay, thanks.

The Chair (Mr. Ted McMeekin): Any other questions? Any questions from the government? No. Anybody else? No. Okay, we did that, all right.

Are you ready to vote?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Carried.

Done, thank you.

504260 ONTARIO LTD. ACT, 2018

Consideration of the following bill:

Bill Pr82, An Act to revive 504260 Ontario Ltd.

The Chair (Mr. Ted McMeekin): That brings us to Bill 80. Mr. Yurek—

Interjection: Bill 82.

The Chair (Mr. Ted McMeekin): Bill 82, sorry. Lou?

Mr. Lou Rinaldi: Chair, I'm delighted to be here to support private bill 82 in the name of Mr. David Tredree.

The Chair (Mr. Ted McMeekin): Okay, thank you.

Mr. Lou Rinaldi: Here is Mr. Tredree.

The Chair (Mr. Ted McMeekin): All right, we'll go to the applicant.

Mr. David Tredree: I'm the sole shareholder of a company known as 504260 Ontario Ltd. in Cobourg, Ontario, which owns a piece of property at 471 Division Street. I found that our corporation had been dissolved,

something that I thought had been rectified years ago. We found out doing our wills that it hadn't been done, so I'm here to respectfully ask the committee to reinstate 504260 Ontario Ltd. I thank you.

The Chair (Mr. Ted McMeekin): Is there anybody here who has an interest who would wish to make a comment? Hearing none, questions from the government side, if any? No. Questions from anyone? Hearing none, are we ready to vote?

Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill carry? Carried.

Shall I report the bill to the House? Carried.

Done.

EMMANUEL BIBLE COLLEGE ACT, 2018

Consideration of the following bill:

Bill Pr80, An Act respecting Emmanuel Bible College.

The Chair (Mr. Ted McMeekin): Okay. Now, the final bill is Bill Pr80.

Interjection.

The Chair (Mr. Ted McMeekin): Apparently, members, Ms. Fife, given some knowledge of the Emmanuel Bible College and in the absence of MPP Harris, was to be the sponsor, but she will not be here for another five minutes. I suggest we recess for five minutes.

Ms. Soo Wong: A five-minute recess?

The Chair (Mr. Ted McMeekin): Yes.

Ms. Soo Wong: So we'll be back at 9:30; is that what you're asking?

The Chair (Mr. Ted McMeekin): Yes, I suggest we recess to 9:30. Carried.

The committee recessed from 0921 to 0923.

The Chair (Mr. Ted McMeekin): With the committee's permission, we can cut the recess short and get back to it. Okay? All right.

Ms. Fife, if you'd occupy the sponsor's seat at the front here, with Ms. Stadig. Welcome.

Ms. Fife.

Ms. Catherine Fife: Good morning, Chair. Good morning, committee. As you know, I'm standing in for the MPP for Kitchener-Conestoga. I don't have a script in front of me per se, but I'm here to—

Interjection: Sponsor.

Ms. Catherine Fife: I'm here to sponsor—do you have a script?

The Chair (Mr. Ted McMeekin): That's about all you would normally say, and then you would introduce the applicant.

Ms. Catherine Fife: I'm here to sponsor Bill Pr80, An Act respecting Emmanuel Bible College. Thank you.

The Chair (Mr. Ted McMeekin): Okay, so we'll go to the applicant. Welcome.

Dr. Stephen Roy: Good morning. My name is Stephen Roy. I'm the president of Emmanuel Bible College. Emmanuel is a post-secondary degree-granting institution located in Kitchener, Ontario, existing since 1940, and in the business of helping train Christian leaders for a variety of denominations in Ontario and in Canada. We are incorporated under a private act which needs to be revised and modernized, and so this is the end result of that process.

I will hand you over to our legal counsel, Gwenyth Stadig. Thank you.

The Chair (Mr. Ted McMeekin): Okay.

Ms. Gwenyth Stadig: Thanks to the committee for letting us come today. We look forward to a fruitful conversation.

To get right into what we're here for, and to give you a bit more of an overview of the organization—I know you've read the preamble, so you understand that we have been in existence since 1939, based on a group of Mennonite Brethren Church in Christ coming together and wanting to form an institution that had a view to educating Christian leaders in Canada.

The applicant started as a post-secondary institution in 1940, right in the heart of the war, and it became formally known by its current name in 1948. It started issuing degrees in 1957, although it was given approval in 1954, so it took a few years for the graduates to get through the program there. They were granted charitable registration status by CRA in 1967.

One note that I will request of the committee is, due to the fact that my client is still a registered charity, we are requesting for the committee to consider waiving the fees and/or printing costs associated with bringing this bill to you. We understand it's at your discretion, but we make that request to you.

The college did incorporate in 1981, 37 years ago, and since that time, it has honoured its affiliation with its founding denomination but has also become more ecumenical. There are more denominations affiliated with the institution now.

Our reasons for coming to you today really are quite simple. There are a number of references in the current act, the 1981 act, to groups that no longer exist. The denominations have new names, new organizational structures. So that needs to be cleaned up, so to speak.

With the co-operation of counsel from four interested ministries across this process, we have come to consensus on a version of the bill you see today. Three of the four interested ministries did sign off on it, according to their internal processes, prior to you receiving a draft bill, but in the past week we have been in communication with the Ministry of Advanced Education and Skills Development, and our client has agreed to the changes that they proposed. I'm sure that a representative will speak to you today.

At this time, I will thank all of the MPPs involved in this entire process, with a special thanks to MPP Fife for her support today and for just stepping up. Her dedication

to her community has not gone unnoticed, and we're very thankful for her presence here today.

We also want to thank the Office of Legislative Counsel. Jennifer Gold and Catherine Oh have been fantastic. Their comments and assistance in ensuring that the act is congruent with similar legislation in Ontario was fantastic, and we are thankful for their comments.

We also thank, for their input and co-operation, the counsel from the four interested ministries. They've been phenomenal to work with, and we thank them for that co-operation in bringing this to you today.

I look forward to any questions from the committee at this time.

The Chair (Mr. Ted McMeekin): Thank you. Let me ask, are there any other interested parties in attendance today who wish to speak? Hearing none—we'd normally go to the government for questions, but by convention—

Interjection.

The Chair (Mr. Ted McMeekin): We'll go to the government first. All right. Any questions? Ms. Matthews.

Ms. Deborah Matthews: The government has three amendments to the bill. Would this be the time to talk about that?

The Chair (Mr. Ted McMeekin): No, it's questions and comments. Then we'll move into the—

Ms. Deborah Matthews: And then we'll move to amendments? Okay.

The Chair (Mr. Ted McMeekin): Any other comments or questions? Okay. Are the members ready to vote?

Interjection: What about the amendments?

The Chair (Mr. Ted McMeekin): Hold on. That would include the amendments. I'm just asking, are you ready to proceed with the actual voting?

Ms. Jennifer K. French: Point of clarification, or order or question or whatever.

The Chair (Mr. Ted McMeekin): Yes?

Ms. Jennifer K. French: Could someone please explain what this packet that I received is, before I'm voting on something? Because this hasn't been explained. It was just handed to me.

0930

The Chair (Mr. Ted McMeekin): Okay, that's a question, then. Go ahead.

The Clerk of the Committee (Mr. Christopher Tyrell): These are the three amendments that have been filed to the bill. If there are no more questions or comments, we would move into the clause-by-clause portion of the meeting, which would mean we would go through the bill section by section. These amendments would be offered at the appropriate sections in the bill and then are open to debate and, ultimately, being voted on.

The Chair (Mr. Ted McMeekin): The first is in section 1, right? Yes. This one was noted to be a little bit confusing, so just bear with the admittedly confused Chair as we move through this.

We've spotted the three sections where there are amendments. By convention, committees usually post-

pone consideration of the sections of a bill in order to first deal with the schedules to that bill.

Is it the will of the committee that we stand down sections 1 to 14 of the bill?

Interjections.

The Chair (Mr. Ted McMeekin): Yes. So we'll go to schedule 1.

Shall schedule 1 carry? Carried.

Shall schedule 2—

Mr. Lou Rinaldi: Chair?

The Chair (Mr. Ted McMeekin): Yes?

Interjections.

The Chair (Mr. Ted McMeekin): There's no amendment till we hit schedule 3.

Shall schedule 2 carry? Carried.

We're on schedule 3. There's an amendment. Ms. Matthews.

Ms. Deborah Matthews: Chair, the government has three amendments. I believe you have the motions with you.

The Chair (Mr. Ted McMeekin): We do.

Ms. Deborah Matthews: It's my understanding that the applicant is both aware of and comfortable with these amendments. Should there be any technical questions, we also have officials from the Ministry of Advanced Education and Skills Development.

Mr. Rinaldi will be taking the lead on reading these motions.

The Chair (Mr. Ted McMeekin): We're on amendment 3 first. We're on schedule 3.

Mr. Lou Rinaldi: I move that schedule 3 to the bill be struck out and the following substituted:

“Schedule 3

“Academic degrees

“1. Bachelor of theology.

“2. Bachelor of religious education.

“3. Bachelor of sacred music.”

The Chair (Mr. Ted McMeekin): Debate, if any?

Ms. Gwenyth Stadig: No debate from the applicant.

The Chair (Mr. Ted McMeekin): It's just the members here now. You're okay.

Mr. Lou Rinaldi: Chair, this motion will maintain the existing degree-granting authority for the college as it was set in the 1981 act.

The Chair (Mr. Ted McMeekin): Any debate or questions?

All those in favour? Any opposed? Carried.

Schedule 3, as amended: All those in favour? Carried.

Now we will return to considering section 1 of the bill. Amendment 1.

Mr. Lou Rinaldi: I move that section 1 of the bill be amended by striking out the definition of “administrative staff”.

The rationale is that this is a consequential cleanup amendment to a later motion, which will remove the only instance that the defined term “administrative staff” is used.

The Chair (Mr. Ted McMeekin): Any comments or questions?

All those in favour of that amendment? Any opposed? Carried.

Shall section 1, as amended, carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall section 4 carry? Carried.

Shall section 5 carry? Carried.

In section 6, we have another amendment, amendment number 2. Mr. Rinaldi.

Mr. Lou Rinaldi: Clause 6(2)(b) of the bill: I move that clause 6(2)(b) of the bill be struck out and the following substituted:

“(b) establish, by bylaw, statements of Christian doctrine for the college which shall be adhered to by the members of the board and faculty;”

Chair, if I could just add to that, this motion will maintain the existing authority of the board to issue Christian doctrinal statements—

The Chair (Mr. Ted McMeekin): Sorry, sorry, I can't hear the explanation. Go ahead.

Mr. Lou Rinaldi: I'll start all over again, Chair.

The Chair (Mr. Ted McMeekin): Yes, please.

Mr. Lou Rinaldi: This motion will maintain the existing authority of the board to issue Christian doctrinal statements which must be adhered to by faculty and board members, as was set out in the 1981 act.

The Chair (Mr. Ted McMeekin): Okay, thank you. Any questions or comments? No? Shall the amendment pass? All those in favour? Any opposed? None, so it passes.

Shall section 6, as amended, carry? Carried.

Shall section 7 carry? Carried.

Shall section 8 carry? Carried.

Shall section 9 carry? Carried.

Shall section 10 carry? Carried.

Shall section 11 carry? Carried.

Shall section 12 carry? Carried.

Shall section 13 carry? Carried.

Shall section 14 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill to the House? Yes.

Very good. Thank you.

Interjection.

The Chair (Mr. Ted McMeekin): Oh, one second. Does anyone have a motion that they would like to move?

Mr. Lou Rinaldi: I do. Like the previous, I'm a bit confused.

I move that—

The Chair (Mr. Ted McMeekin): Welcome to the club, on behalf of the president.

Mr. Lou Rinaldi: This is normal, Chair.

I move that the committee recommend that the fees, and the actual cost of printing at all stages, be remitted on Bill Pr80, An Act respecting Emmanuel Bible College.

The Chair (Mr. Ted McMeekin): Okay, any discussion or questions?

Mr. Jeff Yurek: I have a question.

The Chair (Mr. Ted McMeekin): Yes.

Mr. Jeff Yurek: With regard to the fees, what are we looking at, cost-wise? Is it just the fees that the Legislature charges?

The Chair (Mr. Ted McMeekin): Mr. Clerk.

The Clerk of the Committee (Mr. Christopher Tyrell): The application fee is \$150, which is standard for private bills. The applicants are also responsible for the printing costs of the bill. At first reading after it's introduced, there are a certain number of copies that need to be printed and handed out. So they're responsible for that. Also at any other stages where the bill needs to be reprinted, they would be responsible for those printing costs. This motion seeks to waive those costs.

Mr. Jeff Yurek: Just those fees?

The Clerk of the Committee (Mr. Christopher Tyrell): Yes.

Mr. Jeff Yurek: Okay.

The Chair (Mr. Ted McMeekin): Understood? Okay. All those in favour? Any opposed? Carried.

The Clerk of the Committee (Mr. Christopher Tyrell): That's it.

The Chair (Mr. Ted McMeekin): That's it? Okay.

Interruption.

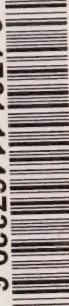
Ms. Deborah Matthews: Chair, that's a quorum call, so probably we're done.

The Chair (Mr. Ted McMeekin): Okay, thank you. We're adjourned.

The committee adjourned at 0939.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

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Also taking part / Autres participants et participantes

Ms. Catherine Fife (Kitchener–Waterloo ND)

Ms. Sophie Kiwala (Kingston and the Islands / Kingston et les Îles L)

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